

# THE INFLUENCE OF ELECTORAL SYSTEMS ON THE ELECTIONS IN ALBANIA

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## Abstract:

The purpose of the research. The paper wants to answer a current problem and very important to come before the Albanian politics and society, the problem of changing the electoral law and electoral system in Albania. Two recent elections in our country, general elections of 2009 and 2011 local elections were marred by numerous irregularities which have influenced the outcome of the election and brought numerous disputes strong opposition. Political parties, the Albanian society and international community are in discussion adjustments should be made to election legislation that elections are fair, credible and acceptable by both parties. In Albania, all elections are influenced by the election legislation. But have influenced the conduct of elections and election results election systems. Therefore the object of work is mainly the influence of electoral systems on the elections in Albania

Methods. Evidence of the election legislation in Albania and its comparison with European and international legislation in this field. Analysis of the election and election results in Albania in the period 1991-2011. Evidencing the influence of electoral systems on election and election results, comparing the results in all elections.

Results. From the search derived these results: election systems and distribution formulas of seats have influenced and defined the party in the election outcome; political parties have made adjustments and changes constantly in election systems, passing by a majority system based on absolute majority, combined electoral systems up in regional proportional electoral system. The 2009 elections showed that the regional proportional system had not sustainable governance, and real representation of parties in parliament.

Conclusions. The main conclusion. For Albania was wrong application of the regional proportional electoral system. More convenient for Albania is the majoritarian system corrected. Electoral formula of distribution of additional seats bring the number of seats to

the number of votes each party receives nationwide. Voter to have available only one ballot and one vote only, that belongs candidate single-member zone and the party the candidate represents. In this way the votes that the voter will cast is a sincere vote.

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**Keywords:** Electoral law, electoral system, election, electoral formula, vote, ballot, sincere vote

## **1. Legislation elections in Albania**

The legislation includes election international legal acts and acts of internal jurisdictional that regulate the right of election and conduct of elections in our country.

### **1.1. International legal acts**

International legal acts the elections are: a) "Universal Declaration of Human Rights and the Citizen of the UN" ; b) "International Convention on Civil and Political Rights; c) "The European Convention on Human Rights," Protocol Additional no.1; d) decisions of the Strasbourg Court. International acts specify: the right of election and the role of elections, election standards; guarantees the right of election, electoral systems and formulas; Election authorities, modes of formation and function; the right of election as an individual political right, as the constitutional right of an individual right and that derives directly from the Basic Law. There are constitutions that include the right of choice.<sup>1</sup>

**1.2. Internal legal acts.** Internal legal acts for the elections are: a) Constitution b) election code, c) acts of state bodies for elections.

#### **1.2.1. Constitution of the Republic of Albania higher normative act for elections**

Governance in Albania, based only on elections.<sup>2</sup> Government mandated and politically legitimized by elections. Citizens exercise sovereignty through elections,<sup>3</sup> choosing representatives, either directly exercise sovereignty, exercise political control over

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<sup>1</sup> Germany's Constitution Article 38, Constitution of Spain Article 68 / 1 and 69 / 2, Romania's Constitution Article 59 ... etc..

<sup>2</sup> Constitution of RA 1998. Article 1, point 3. "Free elections equal, general and periodicals are the basis of government in Albania".

<sup>3</sup> Constitution of RA 1998. Article 2 paragraph 1.

government.<sup>4</sup> Through election works political pluralism, ensuring competition and the national party and choose the best policy alternatives to running the state.<sup>5</sup> The right of election is the fundamental political right of citizens of the subjective right of the individual, of the few political rights that comes directly from the Constitution and may be modified and limited by the constitution. The Constitution prevents the temporary parliamentary majority to affect or restrict this right. They can not pass laws that restrict or change the political right of citizens. Laws that violate the election law are unconstitutional. The right election is not absolute right. The Constitution limits the right of election, only the right to vote to citizens who find themselves in the absence of freedom.<sup>6</sup> Constitution lifts the right of election for mentally disabled citizens.<sup>7</sup> These principles are defined standards for the election: a) general elections, b) periodic elections; c) equality in elections, d) free elections.<sup>8</sup> Legal capacity of election belongs to all citizens at age 18.<sup>9</sup> Votes is: personal, equal, free and secret.<sup>10</sup>

The Constitution established a mixed electoral system, majority proportional. "... 100 deputies are elected directly in single-member zone ... 40 deputies are elected from multi-name lists ..." <sup>11</sup> The total number of deputies of each party / coalition as defined in close relation to the valid votes obtained by them throughout the country in the first round of the elections <sup>12</sup>

The electoral system was stabilized and were frozen attempts of political parties to change. However, in the year 2008 changed the constitution and electoral system was substituted by regional proportional system. Distribution of seats would be based on the region in proportion to the votes obtained by each party or parties koalicon in the region.<sup>13</sup>

<sup>4</sup> The RA 1998 Constitution article 65 paragraph 1. "The Assembly is elected every four years."

<sup>5</sup> Constitution of The RA 1998. Section 3 "... pluralism ... is one of the basics of this state."

<sup>6</sup> The RA Constitution Article 45 / 3 "Prisoners who are serving a sentence involving deprivation of freedom have only the right to elect".

<sup>7</sup> The RA Constitution Article 45 / 2 "excluded from the right of selecting citizens declared by judicial decision to final form mentally incompetent. "

<sup>8</sup> The RA Constitution Article 1 / 3

<sup>9</sup> The RA Constitution Article 45 / 1 "Every citizen who has reached eighteen years of age, even on election day, has the right to elect and be elected ".

<sup>10</sup> The RA Constitution Article 45 / 4

<sup>11</sup> The RA Constitution Article 64 / 1

<sup>12</sup> The RA Constitution Article 64 / 2

<sup>13</sup> The RA Constitution as amended by law dated 21.04.2008 nr.9904 Article 64/1/2 "The Assembly comprises 140 deputies, elected by proportional system with multi-name polling". Electoral Area multi-name conforms to an administrative division of the levels of territorial organization administrativo "

### **1.2.2. Electoral Code of the legal basis regulating the election**

The Electoral Code regulates the conduct of the right of election and conduct of elections.<sup>14</sup> Election Code sets electoral zones; deadlines, procedures and registration of electoral subjects; organization and functioning of electoral commissions and administration; deadlines, procedures and responsibilities for preparing the voter list; financing of election subjects; the campaign; voting procedures and the results; review of complaints and administrative sanctions and criminal; and other rules regarding the election.<sup>15</sup>

## **2. Albanian legislation for elections in relation to European legislation**

Determination of governance based on democratic elections free, equal, general and periodic.<sup>16</sup> is in accordance with Article 3 of Protocol 1, which establishes the obligation election free and confidential in order to guarantee the free expression of voter opinion on representative body.<sup>17</sup> The state has a positive obligation to respect the right of election. This is a right ... "that public government bodies, in fulfilling their duties must be obeyed ... and contribute to its realization."<sup>18</sup> The government is obliged to hold elections every four years for the representative body,<sup>19</sup> This provision is in accordance with Article 3 of Protocol 1 to the European Convention on Human Rights.<sup>20</sup> that obliges states parties to declare election in reasonable period. European Court of Human Rights has noted that "Where all other material provisions of the Convention and the protocols ... use the words " every person has the right" or " no one should ", Article 3 of Protocol 1 uses the word " forced ". "The High Contracting Parties undertake ..."<sup>21</sup> "... The primary obligation for elections is not one of abstention as in most civil and political rights, but he's positive intervention by the state to" hold "and" democratic elections ".<sup>22</sup> Electoral Code establishes that elections are periodic,<sup>23</sup> every four years, agreeing with Article 3 of Protocol 1. "The High Contracting Parties undertake to hold

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<sup>14</sup> The RA Constitution Article 68/2/3 Election Code establishes the criteria and rules for implementation of the electoral system proportional for determining of electoral zones and the number the mandates for each area.

<sup>15</sup> The RA Electoral Code Article 1

<sup>16</sup> The RA Constitution Article 1 / 3 "Governance is based on a system of free, equal, general and periodic"

<sup>17</sup> Article 3 Protocol 1 of ECHR. "Parties ... undertake to organize free elections by secret ballot, in conditions that ensure the free expression of opinion of the people ... "

<sup>18</sup> Report on the study of approximation of Albanian legislation with the European Convention on Human Rights "Tirana 2003 p. .56

<sup>19</sup> The RA Constitution Article 65 / 1

<sup>20</sup> ECHR, Protocol 1 Article 3

<sup>21</sup> "Report on the study of approximation of Albanian legislation with the European Convention on Human Rights" Tirana 2003 p. .55

<sup>22</sup> Issue Mathieu-Mohin & Clerfayt against Belgium: "... The first obligation in the relevant field is not just an abstention or non-intervention, as in most of the civil rights and political character, but he's taking action with positive character for" holding "and" elections democratic ".

<sup>23</sup> Year 2008 Electoral Code Article 3 / 1.

elections at reasonable intervals ...".<sup>24</sup> Convention bodies have recognized that reasonable time limits may be extended between five or six years. There are countries, like Canada and Italy, where elections are held every five years.<sup>25</sup> Elections for the lower house of the U.S. Congress are held every 2 years.<sup>26</sup> Holding of elections "... gives the opportunity of competing political forces to take power, but also gives voters the opportunity to control the activity of political parties in any period of time (for example every four years).<sup>27</sup>

Right of election under the Convention is not absolute and unlimited. States may impose restrictions on the exercise of this right. In accordance with the Convention the Electoral Code stipulates that "Has the right to vote in elections for parliament and for local government every Albanian citizen, who has reached age 18 on election day and who meets the conditions set in this code".<sup>28</sup> European Court received this right of states but has not adopted a list of restricted or closed for this right derogate subjective.<sup>29</sup> Our Constitution establishes as conditions for the vote and be elected the limit of age, mental incapacity declared by judicial decision final form and absence of freedom to persons deprived of liberty.<sup>30</sup> In our country although there is constitutional and legal guarantees, there are opportunities to citizens to violate this right. The right of election in 2009 elections violate because citizens can not receive identification documents, that many citizens were not registered in the voter lists, with family voting, also in the process of counting votes.

### 3. The influence of electoral systems in elections

The period of development of Albania from 1990 to 2011 period is a shocking political transition, a period of reversal and transformation of the legal system. During this period, developed seven general elections<sup>31</sup> and six elections for local government / administrative elections.<sup>32</sup>

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<sup>24</sup> ECHR Protocol 1 Article 3. "The High Contracting Parties undertake to hold free elections at reasonable intervals by secret ballot, under conditions that ensure the free expression of opinion of the people in the choice of the legislature".

<sup>25</sup> Italy Constitution Article 60. Canada's Constitution Article 50.

<sup>26</sup> U.S. Constitution Article 1 / 2 point 1.

<sup>27</sup> A. Anastasi, "Constitutional Right" Tirana 2001 f.84

<sup>28</sup> Election Code 2008 Section 3.1

<sup>29</sup> Report on the study of approximation of Albanian legislation with the European Convention on Human Rights "Tirana 2003 p. 56

<sup>30</sup> Report on the study of approximation of Albanian legislation with the European Convention on Human Rights "Tirana 2003 p. 57

<sup>31</sup> Political general elections are held in years: 1991, 1992, 1996, 1997, 2001, 2005, and 2009.

<sup>32</sup> Administrative elections were held in the years: 1992, 1996, 2000, 2003, 2007, 2011.

### 3.1. Electoral systems and their influence in elections in the first phase 1991-1997

At this stage of the election law is inconsistent. Legislation changes to approximate with international standards. There was a stable law for elections, electoral code was missing. The electoral system is not stable. Parties in every election attempt a favorable electoral system. Changing composition, mode of formation of the central electoral body for the purpose of the Central electoral dominance and influence in the election outcome. The representative body / assembly is distributed twice before its expiration. Only parliament out of the 1992 the election has led to the end of the regular four-year term.<sup>33</sup> Albania has initially implemented the majority system.<sup>34</sup> From 1992 the combined system was used.<sup>35</sup> At various times parties tend different systems. In 1991, Democratic Party preferred the proportional electoral system, while in the 1992 the election, this party implemented a combined electoral system, proportional majority. Socialist Party in 1991 implemented the majority system, while in the 1992 the election this party preferred the proportional electoral system.

Electoral systems have influenced the conduct of elections and influenced the outcome of elections and the distribution of deputies' mandates. Majoritarian electoral system with two rounds implemented in March 31, 1991 was favorable for the ruling party. "The first elections were held ... on the basis of a majoritarian system ... Although in principle such a system is fully democratic, in concrete conditions ... it was clear that he favored the Labor Party, which kept her hands still on the levers of power, connect the economy and the direction of the main tools of information, while opposition parties created a few months ago, were in the organization."<sup>36</sup> System implemented in this election provided for the Labour Party greater number of countries than the number of votes received in the country. With 56.17% of votes this party won 67.6% assured of Representatives, 169 seats. The main opposition Democratic Party with 38.71% of votes won 30% assured of Representatives, 75 seats. With "... a proportional electoral system, Labour Party would win 141 seats in parliament, while the Democratic Party 97"<sup>37</sup>

From the figures 1 and 2 appears to be a difference between the percentage of votes won in the country and the percentage of seats in Parliament, plus approximately 10% of the

<sup>33</sup> Parliament elected with 31 mars 1991 was dissolved in early 1992. Parliament elected in March 22, 1992 the mandate fully completed in May 1996. Parliament elected in May 26, 1996 the mandate ceased in June 1997. On June 29, 1997 general elections were held.

<sup>34</sup> In the 1991 the election

<sup>35</sup> The combined system was implemented in the 1996 elections, 1997, 2001, 2005

<sup>36</sup> Luan Omari Journal "Parliamentary Law and Legal policies" No. 6 / 2005 p.6

<sup>37</sup> Eehez Biberaj "Albania in transition" f. 162

parliamentary majority and 9% less at a disadvantage for the opposition. But the majority system that was implemented in 1991 provided a stable government, and providing an approximation of the number of votes by the number of seats.

Figure 1. General Elections Year 1991

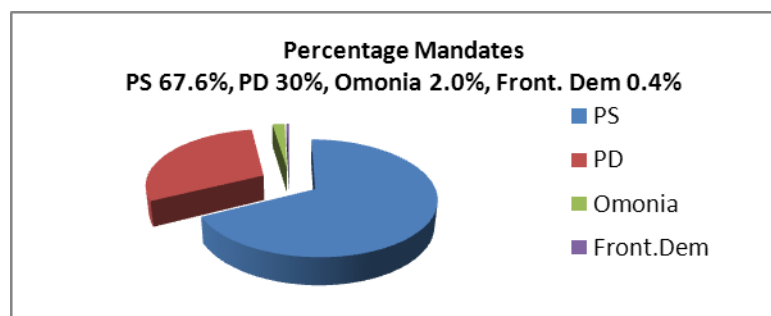
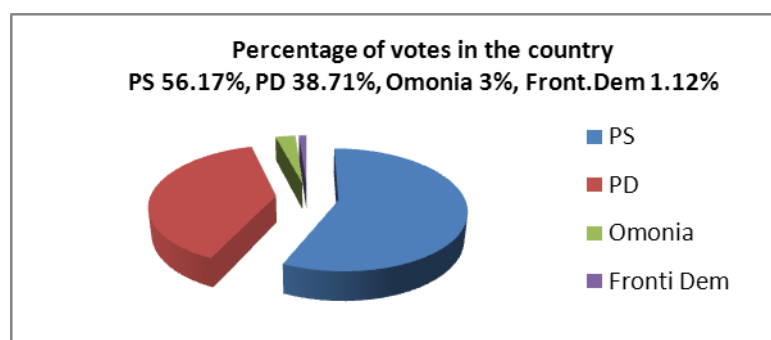


Figure 1. General Elections Year 1991



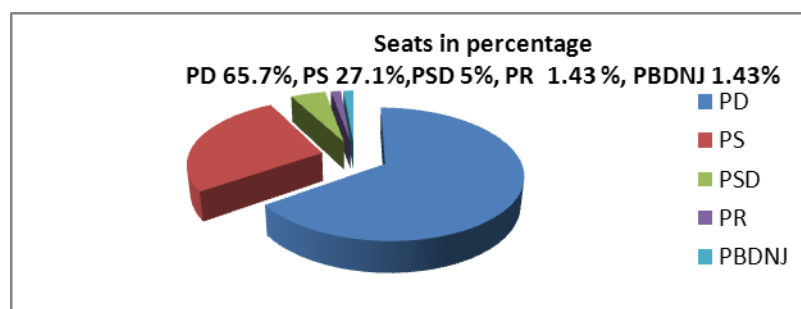
In 1992, the combined electoral system and electoral formula<sup>38</sup> almost entirely tied percentage of seats in parliament to the percentage of votes won by each party in national level. In 1992 the result for each party was closer to the number of votes. This fact clearly reflected in the graphs below.<sup>39</sup> This is reflected in the graphics No.3 and No.4. “The law was intended to unite justice and equality of vote, related to the proportional system, with the need to create a stable majority, delivered by the majority.”<sup>40</sup>

<sup>38</sup> Law 7556 dated. 04.02.1992 "On Elections" article 11/a/b. Additional seats allocated\_a) estimated total percentage of votes received in the first round of the elections ...\_b)total number of seats in parliament to be equal to the number of seats based on the percentage belonging to the win and be the smallest possible

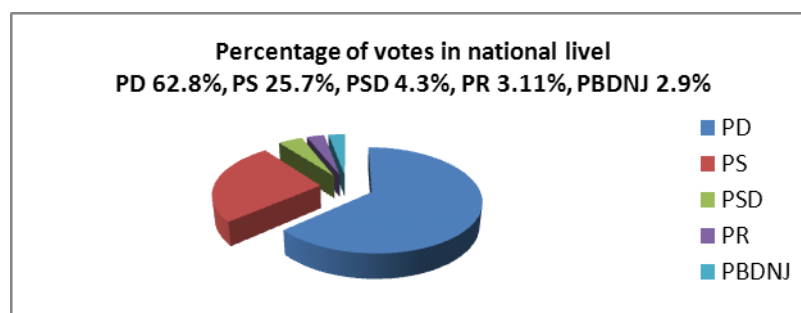
<sup>39</sup> Official Gazette 1992 No. 2 f.99\_Democratic Party with 62% of the vote nationally provided 65.7% of seats in parliament, 92 seats; Socialist parties are 25.7% of votes secured 27.1% of the seats in parliament, 38 seats and social democratic party with 4.3% of votes secured 5% of seats in parliament 6 seats, PR 3.11% of votes PBDNJ 2.9% of the vote dhe fituan 1.43% of seats, by 2 seats.

<sup>40</sup> Omari Luan nr.2/2004 Legal Studies p.14

Graphic nr.3 Elections in 1992



Graphic nr.4 Elections in 1992



In the graphics it appears that the percentage of votes obtained in national level almost completely coincides with the percentage of seats but by providing a stable government..\_It appears that the proportional majority system combined is a system that adapt best for our country because:\_provides a realistic representation of parties in parliament in accordance with the number of votes in national level,\_but also the sustainable governance because it creates a sufficient majority from member zones.\_Combined electoral system was implemented in 1996 and 1997 with some modifications in the formulas of the division of additional seats.\_In 1996 the number in the areas of single-member grew to 115 members and was reduced to 25 the number of additional seats, the distribution of which was made with the simplest formula.<sup>41</sup>

Electoral process in 1996 was irregular and is difficult to judge the system and formula.\_Ruling Party (DP) secured 122 seats in Parliament with 140 deputies.<sup>42</sup>In 1997 the number of deputies was increased to 155<sup>43</sup> and lowered the vote threshold in the 2%. "...

<sup>41</sup> Law 8055 dated 01.02.1996 Section 6. Additional seats are distributed: ...\_Number of valid votes for each party is divided by the sum of valid votes of additional mandates\_and the fraction multiplied by the number of 25 additional seats. "

<sup>42</sup> CEC 1996 election results

<sup>43</sup> 8218 dt.16.05.1997 Law Article 3 Assembly consists of 155 deputies115 are elected directly in the single-member zone40 additional seats are given to other candidates who are on the lists of subjects, based on votes received during the first voting round.



Lowering the threshold at two percent" favor small parties, compensate for the damage they may suffer from enforcement of the majority element."<sup>44</sup> Formula for allocation of additional seats became more complicated.<sup>45</sup> It is difficult to assess the consequences of the electoral system in the outcome of elections in 1997, because elections were held in abnormal situation. In conclusion, the combined electoral systems that were implemented in the elections of 1992, 1996 and 1997, absent competition to allow two systems to gain seats, running parallel to the votes won in single-member and votes received in proportional, allow competition to two systems at the same time to gain seats, running parallel to the votes won in single-member and votes received in proportional. Political entities win seats by votes in a majority and the votes in proportional.

### 3.2. Electoral systems and their influence in elections in the second phase 1998-2001

At this phase the election legislation is stable because of the approval of Constitution and Electoral Code. Constitution stabilized enough issues relating with elections, and hardened the electoral system. Electoral Code stabilized legal norms that regulate elections. Electoral system was a majority corrected. 140 assembly members will be elected: 100 deputies in single-member electoral areas, wins the mandate candidate that in the first round of voting, secure an absolute majority of valid votes. The remaining 40 mandates are appointed in proportion to the percentage of votes obtained in the country.<sup>46</sup> Distribution of seats in the representative body, be in accordance with the percentage of votes secured by parties in national level.<sup>47</sup> Electoral system was a majority corrected because the majority of seats determined by mazhoritari while additional mandates in relation to the number of votes won by political parties in national level. Although the corrected results obtained in the a majority can not achieve complete approach with the number of seats and votes won,<sup>48</sup> In 2001 the Socialist Party blocked the elections in the first round in the constituency number 60, Small parties of the left coalition won the vote to access the electoral threshold of 2.5%,<sup>49</sup>

<sup>44</sup> Omari Luan nr.2/2004 Legal Studies p.15

<sup>45</sup> Law 8218 1997 dt.16.05., Article 3 / 2 /

<sup>46</sup> RA Constitution Article 64 / 1

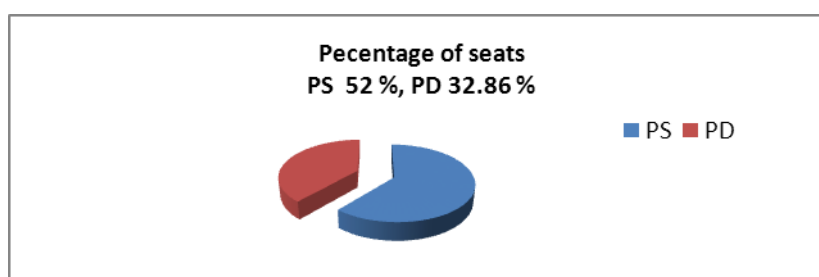
<sup>47</sup> RA Constitution Article 64 / 2

<sup>48</sup> Decisions of the Constitutional Court "2001 electoral process" f 179-180. Decision No. 117/01\_Constitutional Court "... considers it necessary to reiterate that the constitution ... In its Article 64, has admitted that the election system is not proportional pure but a combination of elements with the proportional a majority system. The notion the report as close is not consistent with the notion of precisely equal report, the election system has accepted the constitution can not provide a precisely equal report between the number of MPs for each party and the valid votes obtained by it. "

<sup>49</sup> A. Luarasi Institute of Contemporary Studies for the Balkans. F. 110

and the coalition of left secured three more MPs from the distribution of additional seats.<sup>50</sup> The opposition contested the repetition of the first round of elections for the area nr.60. Constitutional Court considered development of the first round of elections to determine with precision the number of Members of Parliament...\_of which can not be excluded any electoral area ...\_any kind of exclusion from the election that may become specific parts of the territory of the Republic,\_would constitute a violation of constitutional concepts, that determine the type of electoral system\_and a violation of the fundamental right of citizens to vote.\_<sup>51</sup> Electoral system based on competition of votes won in the a majority with votes received in the proportional. In 2001 elections the Socialist Party, which received 555,272 votes in proportional representation that were 41.439% of valid votes,<sup>52</sup>\_not won any member of the division of seats additional, because in the majority secured 73 seats, making up 52% of seats in Parliament.\_Democratic Party received 494,272 votes, 36.886% of the valid votes,<sup>53</sup> and provided 25 deputies. or 17.8% of seats.<sup>54</sup>\_By sharing additional seats secured 21 seats, a total of 46 seats,<sup>55</sup>\_or 32.86% of the seats in parliament that are in the close proportion to the number of votes won by the party national level.\_Both major parties have won 78.3% of the vote and secured together 84.8% of seats in parliament.\_It is obvious that the result is the same number of votes won by each party.\_by graphics for distribution of votes and seats clearly presented this report approximate.

Graph No. 5. Elections in 2001.



Graph No. 6. Elections in 2001.

<sup>50</sup> In area no. 60 of Lushnja first round of elections was developed late\_The Socialist Party directed its voters to vote for the left coalition parties, that left coalition to secure 84 seats to elect the President himself.\_The international community recognized the results on condition a consensus to elect a president.

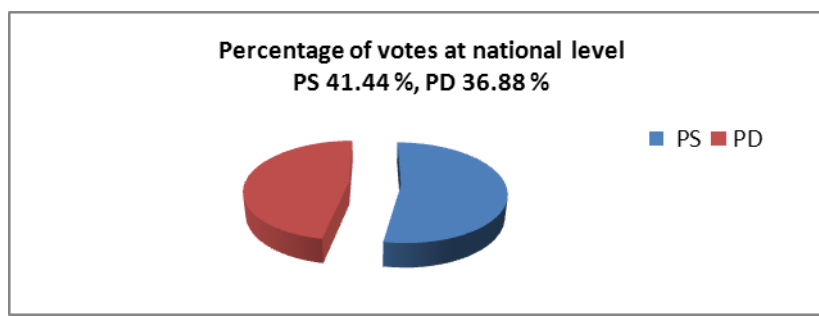
<sup>51</sup> Decisions of the Constitutional Court "2001 electoral process" f 156. Decision No. 107/01".. If not voting would be conducted in the constituency no. 60 for multi-name list of political parties, the constitution of Albania will be violated, voters will be violated in the exercise freely the right to vote and the first round of elections would not be considered complete.

<sup>52</sup> Bulletin of the general elections for the Parliament 2001 p.67

<sup>53</sup> Bulletin of the general elections for the Parliament 2001 p.67

<sup>54</sup> Bulletin of the general elections for the Parliament 2001 p.704

<sup>55</sup> Bulletin of the general elections for the Parliament 2001 p.704



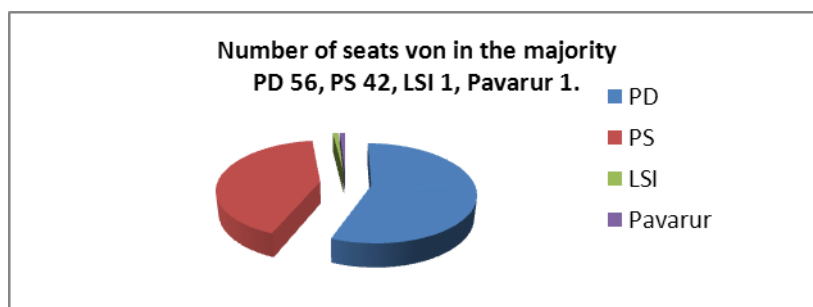
From the graphics it seems that in 2001 the percentage of seats for both parties is almost equal to the percentage of votes nationwide. Of these elections proved a sufficient majority for a stable government. In 2003 was amended Electoral Code. Receives mandate the candidate who wins more votes than other candidates.<sup>56</sup> The second round is eliminated. "Eliminating the second round was fined a Constitutional Court decision, which affirming that the second round ... understood only as an opportunity and not an obligation ... the appointment of a single round ... follow a practice that exists in many other countries, like ... Germany and Italy, which have a mixed system ... in this way the current system was maintained mixed, with existing numerical report between MPs elected in single-member lists, and in those multi-name but with a significant simplification of the election process."<sup>57</sup> In case of late development of voting counted only votes for candidates in the single-member and proportional votes no.<sup>58</sup> Changing the electoral formula for distribution of additional seats made almost zero chance that the major parties to win additional seats. Parties acquire additional seats only when they win less than forty single-member seats in majority areas. This caused the parties to change the electoral strategies by directing voters in strategic voting. In the 2005 elections was used extremely strategic votes and the election result was distorted, similar to that of 2001 in the no. 60, but very large in size, which was called "Great Dushk".

Graph No. 7. 2005 elections.

<sup>56</sup> Law 9087 dated 19.06.2003 Article 66 / 1 "It's called elected deputy ... in area single-member the candidate who wins the majority of the votes of voters who participated in the voting in that area.

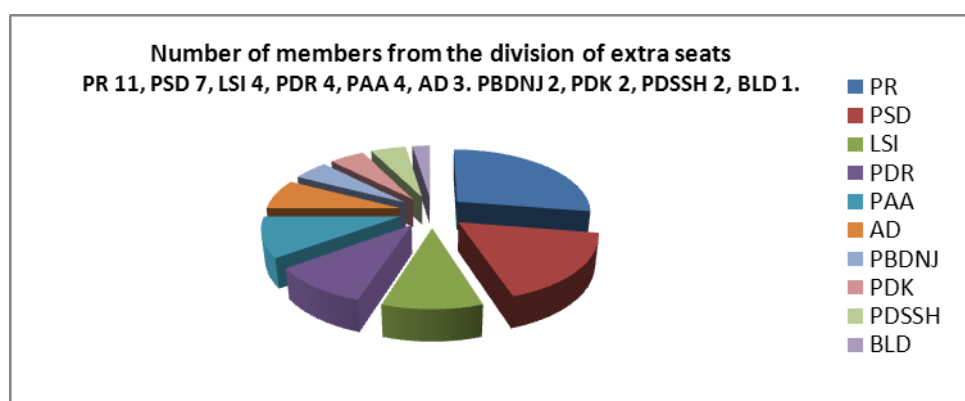
<sup>57</sup> L. Omari nr.2/2004 Legal Studies p.16

<sup>58</sup> In constituency no. 2 in the district of Shkodra, in 2005 CEC only counted the votes of candidates of single-member zone proporcionali votes not counted in the total amount of votes for multi-name lists making these invalid votes.



From the graph No. 7 seems clear that almost all single-member seats in areas have won two major parties (98 seats total nga100)\_democratic and socialist party, unless a member of LSI and a gain from an independent MP. But the system corrects the percentage of seats won through distribution of seats complementary. In 2005 all the additional seats were won by smaller parties only, as reflected in the graph No. 8. Two major parties are not secured any additional terms.

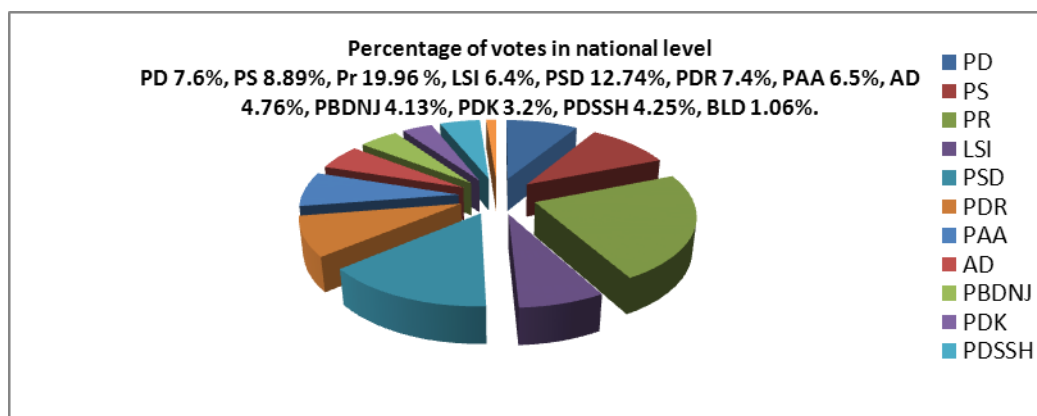
Graph No. 8. 2005 elections..



In the graph no. 9 reflects that the number of votes won nationwide by the two major parties was not in proportion to the number of seats won. The right coalition, the Democratic Party, which secured 7.67% of the vote nationwide, won 56 seats in Parliament, while the Republican Party, who did not win any member to member zones, won 19.96% of the vote nationwide. In the left coalition, the Socialist Party, which secured just 8.89% of the vote nationwide, won 42 seats in single-member areas, while the Social Democratic Party, who did not win any seat in member zones, secured 12.74% of the vote nationwide.<sup>59</sup>

Graph No. 9. 2005 elections.

<sup>59</sup> www.cec.org.al the 2005 election results of 2005 elections, Democratic Party won 56 deputies directly, Socialist Party won 42 deputies. LSI won an MP, and 1 was an independent MP. From the distribution of additional seats Republican Party won 11 deputies, the Social Democratic Party won 7 members. The other seats were distributed: LSI 4, NDP 4, PAA 4, AD 3, HURP 2, DCP 2, BLD PDSSH 2 and 1.



From the graph means that the two major parties have won all seats in majoritarian but have won a very small number of insignificant votes at national level. While smaller parties have won almost all the votes in the proportional at the national level. Despite these distortions from the 2005 election came out a sufficient majority to be guaranteed a stable government. This proves that the combined system and the distribution of additional seats are more convenient and more pragmatic for our country.

### 3.3. Change the election system in 2008.

In 2008, constitutional changes were put regional proportional electoral system,<sup>60</sup> but not a pure proportional system in which Albania was a constituency. The country is divided into multi-name sites that comply with the administrative division of an organization level and administrative - territorial.<sup>61</sup> Electoral area coincides with the territory of the county.<sup>62</sup> Regional proportional electoral system drastically increased the electoral threshold to penalize small parties. It was created almost two-party political system. But this has significantly hampered government, because of blocking majority owned by the opposition. Proportional electoral system had a view that the number of seats in Parliament to be aligned and in proportion to the total number of votes won in each constituency. But the system intends a stable government. The seats were won almost all of the two major parties (133 out of 140 seats), except two small parties, SMI and UHRP,<sup>63</sup>

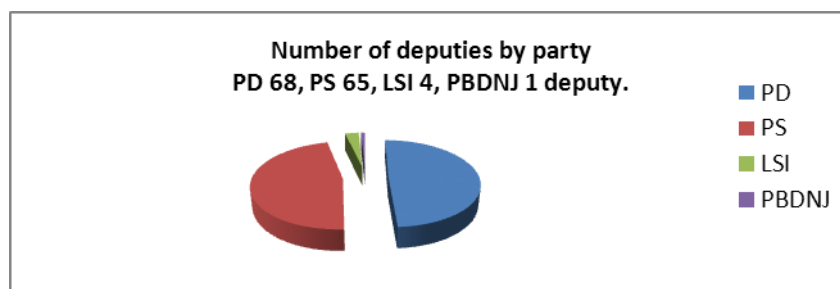
Graph No. 10. 2009 elections.

<sup>60</sup> RA Constitution Article 64 / 1 as amended by Law 9904 dated 21.04.2008

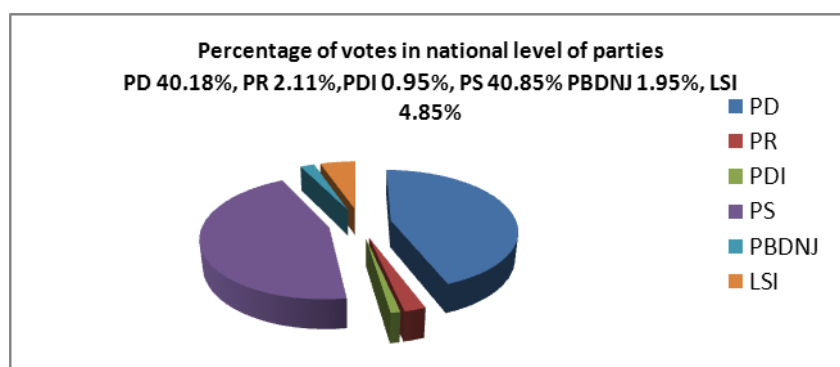
<sup>61</sup> RA Constitution Article 64 / 2 as amended by Law 9904 dated 21.04.2008

<sup>62</sup> Law 10019 dt. 29.12.2008 Article 74 / 1

<sup>63</sup> www.cec.org.al the 2009 elections. Results. Change Alliance coalition won 46.92% and secured 70 seats, 50% of assembly seats (PD 40.18% of the vote and 68 seats, PDI 0.95% of the vote and a mandate, PR 2.11% of the votes and 1 seat). Union for Change Coalition 45.34 of the vote and 66 seats (SP 40.85 of the vote and 65 seats, UHRP 1.19% of the vote and 1 seat). Socialist Alliance Coalition for Integration 5.56% of the vote and 4 seats (LSI 4.85 the votes 4 seats).



Graph No. 11. 2009 elections.



From the graphs it is clear that the percentage of votes in national level complies with the percentage of seats to political groups have taken. Implementation of proportional electoral system align the number of seats to the number of votes for each party and electoral grouping. However, the political outcome is not satisfactory. The majority is a improvised alliance the occasional by the coalition of right and by a very small fraction of the Left. almost half the seats are the opposition, which enables it to block much legislation in Parliament.

## Conclusions

From comparisons of the distribution of seats in parliament in the seven general elections could be concluded that: of electoral systems applied in our country is eligible majority-proportional system combining. This system is based in parallel competition of the formula majority and proportional formula. In the combined electoral system parties provide mandates in majoritarian and proportional in parallel. Combined electoral system was implemented in the 1992 elections, 1996, 1997, 2001 and 2005. Application of the combined system realized to all these elections in two main requirements of the election: a) sustainable government; number of seats is approximate a maximum to the number of votes won by parties in national level. The 2009 elections proved that the regional proportional system is inadequate for our country. These elections did not guarantee real representation, creating an

obstructive opposition that difficult many governments. Majority system corrected is the system more convenient for our country. This system uses the advantages of two systems: majoritarian system single-member zone and of the proportional system in the multi-name zone. To avoid distortions in the elections of 2001 and 2005 was enough to become just a correction. Voter to cast only one vote, which counted for the candidate in the single-member and proportional party. There was no necessary change of electoral system. Albania is better to return to the proportional majority system combined

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